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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/591,258

Applicant(s)

LEACH, MARK

Examiner

Christopher E. Lee

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Receipt Acknowledgement

1. Receipt is acknowledged of the Amendment filed on 12th of April 2004. Claim 12 has been amended; no claim has been canceled; and no claim has been newly added since the RCE Non-Final Office Action was mailed on 13th of November 2003. Currently, claims 12-21 are pending in this application.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10 3. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornborough et al. [US 5,031,209; hereinafter Thornborough] in view of Schnell [US 6,199,133 B1] and Segur [US 6,212,550 B1].

Referring to claim 12, Thornborough disclose a system (i.e., automatic meter reading 10 of Fig. 1) for monitoring and transmitting utility status (See col. 4, line 51 through col. 5, line 2 and col. 6, lines 62-68) via a universal communications interface (i.e., FSK BELL transmitter 53, FSK CCITT transmitter 54, line 61, buffer 62 and MUX 55 of Fig 3), comprising: an input interface (i.e., transducer circuit 252 of Fig. 6) operative to receive a utility status signal (i.e., meter pulses 246 and lead line status 247 of Fig. 6) from a utility meter (i.e., utility meter 250 of Fig. 6); a processor (i.e., micro-computer 22 of Fig. 1) functionally coupled to said input interface for receiving said utility status signal from said input interface

15 (See col. 5, lines 7-11 and 20-24) and operative to generate a status message (i.e., Transmitted Data to Call Collection Module; See col. 16, lines 10-15 and 29-40) based on said utility status signal; a universal communications interface (i.e., FSK BELL transmitter 53, FSK CCITT transmitter 54, line 61, buffer 62 and MUX 55 of Fig 3), local to said utility meter (i.e., utility meter 250 of Fig. 6 is locally coupled with universal communications interface, such that FSK BELL transmitter 53, FSK CCITT transmitter 54, line

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61, buffer 62 and MUX 55 in Fig 3), functionally coupled to said processor (See col. 6, lines 51-55), and configurable for communicating with a communication device (i.e., telephone modem) operative to communicate with a receiving device (i.e., computer of utility control center; See col. 4, lines 29-49) via a communication medium (i.e., telephone line; See col. 1, lines 19-25).

- 5 Thornborough does not teach said universal communications interface is configurable for communicating with a plurality of different types of communication devices, each different type of communication device operative to communicate with a receiving device via one of a plurality of different communication mediums; and a slot functionally coupled to said universal communications interface and configured to interchangeably connect one of said plurality of different types of communication devices.
- 10 Schnell discloses a universal communications interface (i.e., network system in Fig. 2A), wherein said universal communications interface is configurable for communicating with a plurality of different types of communication devices (See col. 5, lines 18-49; configurable for Ethernet, Token Ring, VG, ARCnet, FDDI, CDDI, ATM, etc.), each different type of communication device operative to communicate with a receiving device (i.e., other device being coupled to Network; See col. 1, lines 54-57) via one of a
- 15 plurality of different communication mediums (i.e., conductive wire, fiber optic cable, etc.; See col. 6, lines 20-22); and a slot (i.e., slots 202a-l in Fig. 2A) functionally coupled to said universal communications interface (See col. 6, lines 35-45) and configured to interchangeably connect one of said plurality of different types of communication devices (See col. 6, lines 24-28; i.e., wherein in fact that the slot connectors are configured to plug into the slots of the bus to enable communication implies that said
- 20 slot is configured (i.e., slot connector is configured for said communication) to interchangeably (i.e., capable of being interchanged) connect (i.e., inserted into slot) one of said plurality of different types of communication devices (i.e., any one of devices for Ethernet, Token Ring, VG, ARCnet, FDDI, CDDI, ATM, etc.)); wherein a processor (i.e., computer system 116 of Fig. 1) communicates with said universal

communications interface (See col. 5, lines 18-30) to determine which one of said plurality of different types of communication devices is connected to said slot (See col. 5, line 66 through col. 6, line 17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said universal communications interface (i.e., network system), as disclosed by

5 Schnell, in said system, as disclosed by Thornborough, so as to communicate to multiple network devices (See Schnell, Fig. 1) with the advantage of enabling management of a plurality of network devices of said universal communications interface (i.e., network system). Refer to Schnell, col. 2, lines 49-51.

Thornborough, as modified by Schnell, does not expressly teach said processor formats said status message into a format compatible with said connected communication device and transmits said

10 formatted status message to said universal communications interface for transmission to said connected communications device.

Segur discloses a multi-format communications client-server 50 (Fig. 2), wherein a processor (i.e., controller and processor 68 in Fig. 2) formats (i.e., converts) a status message (i.e., selected messages) into a format compatible (i.e., convert the messages to appropriate data format; See block 178 in Fig. 6

15 and col. 2, lines 47-50) with a connected communication device (i.e., a subscriber unit generating the message retrieval query; See Claim 1) and transmits said formatted status message to a universal communications interface (i.e., communications interfaces 66 of Fig. 2) for transmission to said connected communications device (i.e., transmit to the subscriber unit; See block 180 in Fig. 6 and col. 3, lines 62-65; i.e., wherein in fact that once the conversion is complete, the messages are transmitted to the

20 subscriber unit implies that said processor (i.e., controller and processor) transmits said formatted status message to said universal communications interface (i.e., communications interfaces) for transmission to said connected communications device (i.e., subscriber unit)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said features of said controller and processor, as disclosed by Segur, in said

processor, as disclosed by Thornborough, as modified by Schnell, for the advantage of providing a message formatting (i.e., format conversion feature) for said universal communication interfacing (i.e., multi-format communications), such that said processor (i.e., controller and processor) formats (i.e., converts) said status message (i.e., message) in a compatible format with a data format of said connected communication device (i.e., subscriber unit), and transmits it to said connected communication device (i.e., subscriber unit). Refer to Segur, Abstract and Claim 1.

Referring to claim 13, Thornborough, as modified by Schnell and Segur, teaches said plurality of different communication mediums are telephone lines (i.e., telephone interface circuit 42 of Fig. 1; Thornborough), cable lines (i.e., Ethernet cable; See Schnell, col. 5, lines 37-38) or fiber optic lines (i.e., FDDI; See Schnell, col. 5, line 39).

4. Claims 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornborough [US 5,031,209] in view of Schnell [US 6,199,133 B1] and Segur [US 6,212,550 B1] as applied to claims 12 and 13 above, and further in view of Turino et al. [US 5,994,892 A; hereinafter Turino].

Referring to claim 14, Thornborough, as modified by Schnell and Segur, teaches all the limitations of the claim 14 except that does not teach said utility status signal comprises an analog wave form; and wherein said input interface comprises an analog-to-digital converter operative to convert said analog wave form into a digital signal representing a utility status.

Turino discloses a direct read circuitry (See col. 6, lines 65-67) in an automatic utility meter (Fig. 12), wherein an utility status signal (i.e., sampled input power) comprises an analog wave form (See col. 7, lines 25-28); and wherein an input interface (i.e., A/D U4 of Fig. 12) comprises an analog-to-digital converter (See col. 17, lines 41-55) operative to convert said analog wave form into a digital signal representing a utility status (See col. 7, lines 29-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said direct read circuitry, as disclosed by Turino, in said system, as disclosed by Thornborough, as modified by Schnell and Segur, for the advantage of providing a capability of performing power usage calculation (See Turino, col. 13, lines 60-65).

5 *Referring to claims 17 and 18*, Thornborough, as modified by Schnell and Segur, teaches all the limitations of the claims 17 and 18, respectively, except that does not teach said utility status signal is received from a voltage monitor and a current monitor of said utility meter.

Turino discloses a direct read circuitry (See col. 6, lines 65-67) in an automatic utility meter (Fig. 12), wherein an utility status signal is received from a voltage monitor (i.e., voltage transformer) of said utility meter, and an utility status signal is received from a current monitor (i.e., current sensor) of said utility meter (See col. 7, lines 12-28; i.e., wherein in fact that a voltage transformer and a current sensor are the two devices used to achieve voltage and current reduction, and the meter shall sample secondary side sinusoidal voltage and current analog waveforms for conversion to digital values implies that said utility status signal is received from said voltage monitor (i.e., voltage transformer) and said current monitor (i.e., current sensor) of said utility meter).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said direct read circuitry, as disclosed by Turino, in said system, as disclosed by Thornborough, as modified by Schnell and Segur, for the advantage of providing a capability of performing power usage calculation (See Turino, col. 13, lines 60-65).

20 5. Claims 15, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornborough [US 5,031,209] in view of Schnell [US 6,199,133 B1] and Segur [US 6,212,550 B1] as applied to claims 12 and 13 above, and further in view of Davis [US 6,118,269 A].

Referring to claims 15, 16 and 19, Thornborough, as modified by Schnell and Segur, teaches all the limitations of the claims 15, 16 and 19, respectively, except that does not teach said utility status

signal is received from a connect/disconnect monitor, a tamper detection monitor, and an outage notification monitor of said utility meter.

Davis teaches an electric meter tamper detection circuit (Fig. 7), wherein an utility status signal is received from a connect/disconnect monitor of a utility meter (i.e., METER in Fig. 7; See col. 12, lines

10-21; i.e., wherein in fact that while the gateway is coupled to the power meter, the voltage drop across the power meter is relatively small, and when the gateway is unconnected, the voltage is increased, then the monitored indication of coupled/uncoupled of the power meter is provided to a microprocessor

implies that said utility status signal is received from said connect/disconnect monitor), an utility status signal is received from a tamper detection monitor of said utility meter (See col. 2, lines 42-61), and an

utility status signal is received from an outage notification monitor of said utility meter (See col. 13, lines 41-44; i.e., wherein in fact that the system supports outages detected by the network controller (viz., the function of outage notification) when a gateway fails to respond to a poll (i.e., monitoring) implies that said utility status signal is received from said outage notification monitor of said utility meter).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to have included said electric meter tamper detection circuit, as disclosed by Davis, in said system, as disclosed by Thornborough, as modified by Schnell and Segur, for the advantage of providing said system capable of detecting electrical meter tampering which will eliminate false tamper alert, and of notifying a remote headend if and when an electrical meter has been removed (See Davis, col. 2, lines 37-41).

6. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornborough [US 5,031,209] in view of Schnell [US 6,199,133 B1] and Segur [US 6,212,550 B1] as applied to claims 12 and 13 above, and further in view of Curt et al. [US 6,360,177 B1; hereinafter Curt].

Referring to claim 20, Thornborough, as modified by Schnell and Segur, teaches all the limitations of the claim 20 including a memory storage (i.e., ROM of microcomputer memory)

functionally coupled to said processor for storing computer-executable instructions (i.e., operating program) executed by said processor (See Thornborough, col. 5, lines 16-20) except that does not teach said computer-executable instructions cause said processor to determine whether said utility status signal exceeds a threshold value and, if so, to generate said status message.

5 Curt discloses a monitoring unit (Fig. 4) in a voltage scanning, measurement, storage and reporting device, wherein computer-executable instructions (See col. 6, lines 6-16 and col. 24, lines 28-35) cause a processor (i.e., digital microprocessor 435 of Fig. 4) to determine whether a utility status signal (i.e., voltage waveform information) exceeds a threshold value (See col. 17, line 65 through col. 18, line 5) and, if so, to generate a status message (See col. 13, lines 20+).

10 Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said monitoring unit, as disclosed by Curt, in said system, as disclosed by Thornborough, as modified by Schnell and Segur, for the advantage of monitoring said utility status signal (i.e., AC input voltage) provided through said utility meter (i.e., outlet; Curt), and analyzing the monitored waveform (See Curt, col. 2, lines 17-24).

15 *Referring to claim 21*, Thornborough, as modified by Schnell, Segur and Curt, teaches said memory storage (i.e., RAM of microcomputer memory; Thornborough) stores data relating to signal formats compatible with each of said plurality of different types of communication devices (See Segur, Abstract; i.e., wherein in fact that the memory stores a number of messages in a number of communication format implies that the combined apparatus (i.e., said system) has said memory, which
20 stores data (i.e., message) relating to signal formats (i.e., communication format) compatible with each of said plurality of different types of communication devices (i.e., a number of communication format)).

Response to Arguments

7. Applicant's arguments filed on 12th of April 2004 (hereinafter the Response) have been fully considered but they are not persuasive.

In response to the Applicant's argument with respect to "Applicant distinguished the claimed invention from *Thornborough* on each of the above feature. ... Applicant stressed that that *Thornborough* communicates via a single port using a dedicated telephone transmission line. As such, Applicant argued that the communication interface of *Thornborough* cannot communicate with a plurality of different types of communication devices, as required by the universal communications interface recited in Claim 12" on the Response page 5, lines 27-33, the Examiner believes that the Applicant misinterprets the claim rejection. The Applicant essentially argues that *Thornborough* doesn't teach the above argued elements. However, *Schnell* teaches a network system in Fig. 2A, which suggests said universal communications interface, wherein said network system is configurable for Ethernet, Token Ring, VG, ARCnet, FDDI, CDDI, ATM, etc. (See col. 5, lines 18-49; i.e., said universal communications interface is configurable for communicating with a plurality of different types of communication devices), other device being coupled to Network (See col. 1, lines 54-57; i.e., each different type of communication device operative to communicate with a receiving device) via conductive wire, fiber optic cable, etc. (See col. 6, lines 20-22; i.e., via one of a plurality of different communication mediums). Therefore, the appropriate combination of *Thornborough* and *Schnell* with rationale suggests all the limitations of the claimed invention. Thus, the Applicant's argument on this point is not persuasive.

In response to the Applicant's argument with respect to "Applicant described the invention of *Schnell*, which relates to a bus utilized in a PC environment, ... During the interview Applicant respectfully argued that no motivation was provided to combine the *Thornborough* and *Schnell* references, and that there is no objective suggestion that such a combination would be preferable or successful. Specifically, Applicant argued that utility meter manufacturers would not have relied on *Schnell* to provide a universal communications interface as asserted by the Examiner due to the significant and extreme differences between *Thornborough* and *Schnell*, which result from the limitations of electromechanical utility meters and their dissimilarity from master/slave computer networks. In the

interview the Examiner pointed only to the fact that both relate to “digital computer technology” to support the combination. To further support the references’ combinability and the motivation to combine two references, the examiner stated that a computer could implement the function of the present invention and could be used to test the present invention.” on the Response page 6, lines 7-24, it had been already
5 discussed/addressed in the personal interview conducted on 9th of March 2004 as the Applicant admitted, and the Examiner still respectfully disagrees.

In contrary to the Applicant’s statement, the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves
10 or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, all the rejections under 35 USC §103(a) in the prior and the instant Office Action established a *prima facie* case of obviousness meeting the three basic criteria of the MPEP 2143.03 (8th ed. 2001). The Examiner has clearly pointed out rationale for appropriate combination of the references *Thornborough*
15 and *Schnell* (See paragraph 3 of the instant Office Action, claims 12 and 13 rejection under 35 U.S.C. 103(a) as being unpatentable over *Thornborough* in view of *Schnell* and *Segur*). Furthermore, the motivation to do what Applicant has done, however, does not have to be the same as the Applicant’s to reach a conclusion of obviousness (See MPEP 2144). Moreover, the obviousness is not determined on the basis of purpose alone. *In re Graf*, 343 F.2d 774, 777, 145 USPQ 197, 199 (CCPA 1965). In summary, as
20 long as there is some suggestion/motivation within the prior art to make the modification or combination, it does not have to be the same as the Applicant’s. Thus, the Applicant’s argument on this point is not persuasive.

In response to the Applicant's argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning on the Response page 6, line 25 through page 7, line 3 and on page 7,

line 26 through page 8, line 10, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper.

5 See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Furthermore, the Examiner clearly states the source of the proper motivation to combine the prior art. Thus, the Applicant's argument on this point is not persuasive.

In response to the Applicant's argument with respect to "Thornborough, as noted above, is an electromechanical meter that is purpose built for communicating meter information via a single
10 communication line and protocol using very low power levels. ... Although Applicant admitted that the meters such as that described by *Thornborough* include a processor, Applicant stressed that the similarities end there. ... Specifically, Applicant argued that those of ordinary skill in the art would not rely on a computer systems like that disclosed Schnell because the system is non-analogous to the electromechanical meter provided by *Thornborough*. ... In fact, Applicant stressed that given his
15 extensive knowledge and fifteen-plus years of experience in the utility meter industry, he would not have considered the multi-port communications bus recited in the *Schnell* reference to produce a solution for a utility meter having a single port, as there is no reason why one would look towards a computer networking solution describing a multi-port bus to enable master slave communications between multiple networked devices to enhance a dedicated utility meter having a single port and sparse resources for any
20 functions other than meter data collection. Applicant also offered to produce evidence of commercial success to further support the argument of non-obviousness of the claimed system." on the Response page 7, lines 4-25, the Examiner respectfully disagrees.

In contrary to the Applicant's statement, the Examiner stressed that it has been held that a prior art reference must either be in the field of Applicant's endeavor or, if not, then be reasonably pertinent to the

particular problem with which the Applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

In this case, *Thornborough* teaches a system (i.e., automatic meter reading 10 of Fig. 1) for monitoring and transmitting utility status (See col. 4, line 51 through col. 5, line 2 and col. 6, lines 62-68) via a

5 communications interface (i.e., FSK BELL transmitter 53, FSK CCITT transmitter 54, line 61, buffer 62 and MUX 55 of Fig 3). However, *Thornborough* does not teach the claimed subject matter “universal communications interface”, which could provide a communication capability to multiple network devices

(e.g., networked metering devices) being operating according to multiple protocols, and provides a communication flexibility to said networked metering devices, as well. Schnell teaches a universal

10 communications interface (i.e., network system in Fig. 2A), wherein said universal communications interface is configurable for communicating with a plurality of different types of communication devices (See col. 5, lines 18-49; configurable for Ethernet, Token Ring, VG, ARCnet, FDDI, CDDI, ATM, etc.), each different type of communication device operative to communicate with a receiving device (i.e., other device being coupled to Network; See col. 1, lines 54-57) via one of a plurality of different

15 communication mediums (i.e., conductive wire, fiber optic cable, etc.; See col. 6, lines 20-22), thus Schnell supports the desired motivation, such that the multiple networked devices (e.g., metering devices as slave), which are operating according to multiple protocols (See Schnell, col. 5, lines 44-49), could be enabled to communicate to the receiving device (e.g., host computer as master). Refer to Schnell, col. 2, lines 49-51. Therefore, the *Schnell* produces a solution for a utility meter why one would look towards a

20 computer networking to enable various protocol communications between multiple networked devices (i.e., metering devices) to enhance a dedicated utility meter.

Moreover, the Applicant asserts that the Applicant’s fifteen-plus years of experience in the utility meter industry and his commercial success are offered to support the argument of non-obviousness of the claimed system. However, the arguments of counsel cannot take the place of evidence in the record. *In re*

Schulze, 346 F.2d 600, 602, 145 USPQ 716, 718 (CCPA 1965). To be of probative value, any objective evidence should be supported by actual proof. See MPEP 716.01(c) and § 2145. Thus, the Applicant's argument on this point is not persuasive.

Conclusion

- 5 8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10 A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

- 15 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 703-305-5950. The examiner can normally be reached on 9:00am - 5:00pm.

20 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

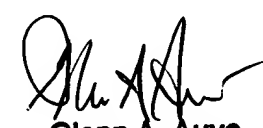
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see [http://pair-](http://pair-direct.uspto.gov)

- 5 direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher E. Lee
Examiner
Art Unit 2112

cel/ 

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Glenn A. Auve
Primary Patent Examiner
Technology Center 2100